

*C1
Conclude*
ID NO:29 through SEQ ID NO:34, SEQ ID NO:36, ~~and~~ SEQ ID NO:38 through SEQ ID NO:52, SEQ ID NO:67 and SEQ ID NO:69.

C2
26. (amended) [The] An isolated autotaxin polypeptide comprising [according to claim 5, wherein said polypeptide comprises the] an amino acid sequence selected from the group consisting of the SEQ ID NO:1 through SEQ ID NO:11, SEQ ID NO:26 through SEQ ID NO:34, SEQ ID NO: 36, SEQ ID NO:38 through SEQ ID NO:52, SEQ ID NO:67 and SEQ ID NO:69.

C3
4 27. (amended) A polypeptide according to claim [3] ~~6~~, bound to a solid support comprising an amino acid sequence corresponding to autotaxin.

C4
5 28. (amended) A recombinant autotaxin polypeptide according to claim [3] ~~6~~.

REMARKS

Applicants respectfully request entry of the instant amendment. The amended claims do not introduce new subject matter, nor do the amendments raise new issues of patentability. Entry of this amendment is respectfully requested. It is believed that entry of the amendment places the application into condition for allowance. If the Examiner decides to maintain the rejection of this application, entry of the amendment will reduce the number of issues remaining for appeal.

Claims 4, 6, and 16-18 are currently pending in the instant application. Claim 16 has been allowed. Claims 4 and 6 were objected to because they depended from claim 3. Claims

3, 5, 11, 12 and 19 have been cancelled. Applicants expressly reserve the right to pursue the now-cancelled subject matter in a continuation application.

Claims 3, 5, 11, 12, 17, 18 and 19 have been rejected under 35 U.S.C. §112, first paragraph as not being enabled for “autotaxin from any source, mutant, species homologue or variant thereof.” Applicants respectfully disagree with this rejection. However, in order to expedite this application to allowance, applicants have cancelled claims 3, 5, 11, 12 and 19 in order to pursue these claims in a continuation application. Applicants assume that claims 17 and 18 were included in the §112 rejection because they depended from claim 3. Claims 17 and 18 have been amended to depend from claim 6, which is not subject to the instant rejection. Thus, claims 17 and 18 are believed to overcome the rejection and be in condition for allowance. Applicants respectfully request reconsideration and withdrawal of the §112, first paragraph rejection.

Claims 3, 5 and 17-19 have been rejected under 35 U.S.C. §112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey that the inventors had possession of the claimed invention. In particular, the Examiner asserts that no cell motility activity is described in the specification for autotaxin fragments. Applicants respectfully disagree with this rejection. However, in view of the presently claimed invention, applicants believe the rejection is rendered moot. Reconsideration and withdrawal of the rejection is respectfully requested.

The instant claims are believed in condition for allowance. Early and favorable action by the Examiner is earnestly solicited. If the Examiner believes that issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 415-8564.

AUTHORIZATION

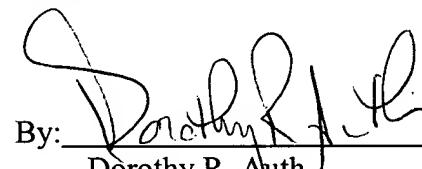
No additional fee is believed to be necessary.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4149US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2026-4149US3. A DUPLICATE OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: 
Dorothy R. Auth
Reg. No. 36,434

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